

HOUSE BILL No. 1109

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-21-5-6.

Synopsis: Speed limits near schools. Specifies that, if a local unit of government establishes a speed limit that is imposed in the immediate vicinity of a school when children are present, the speed limit may be in effect only: (1) from one hour before the school day begins at the school until one hour after the school day begins at the school; and (2) from one hour before the school day ends at the school until one hour after the school day ends at the school.

Effective: July 1, 2001.

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January 8, 2001, read first time and referred to Committee on Roads and Transportation.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1109

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-21-5-6 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2001]: Sec. 6. (a) Except as provided in
3 subsection (e), whenever a local authority in the authority's jurisdiction
4 determines on the basis of an engineering and traffic investigation that
5 the maximum speed permitted under this chapter is greater or less than
6 reasonable and safe under the conditions found to exist on a highway
7 or part of a highway, the local authority may determine and declare a
8 reasonable and safe maximum limit on the highway. The maximum
9 limit declared under this section may do any of the following:
10 (1) Decrease the limit within urban districts, but not to less than
11 twenty (20) miles per hour.
12 (2) Increase the limit within an urban district, but not to more than
13 fifty-five (55) miles per hour during daytime and fifty (50) miles
14 per hour during nighttime.
15 (3) Decrease the limit outside an urban district, but not to less
16 than thirty (30) miles per hour.
17 (4) Decrease the limit in an alley, but to not less than five (5)



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1 miles per hour.

2 (5) Increase the limit in an alley, but to not more than thirty (30)
3 miles per hour.

4 (b) A local authority in the authority's jurisdiction shall determine
5 by an engineering and traffic investigation the proper maximum speed
6 for all local streets and shall declare a reasonable and safe maximum
7 speed permitted under this chapter for an urban district.

8 (c) **Except as provided in subsection (f)**, an altered limit
9 established under this section is effective at all times or during hours
10 of darkness or at other times as may be determined when appropriate
11 signs giving notice of the altered limit are erected on the street or
12 highway.

13 (d) Except as provided in this subsection, a local authority may not
14 alter a speed limit on a highway or extension of a highway in the state
15 highway system. A city or town may establish speed limits on state
16 highways upon which a school is located. However, a speed limit
17 established under this subsection is valid only if the following
18 conditions exist:

19 (1) The limit is not less than twenty (20) miles per hour.

20 (2) The limit is imposed only in the immediate vicinity of the
21 school.

22 (3) Children are present.

23 (4) The speed zone is properly signed.

24 (5) The Indiana department of transportation has been notified of
25 the limit imposed by certified mail.

26 **(6) The limit meets the time restrictions set forth in subsection**
27 **(f).**

28 (e) A local authority may decrease a limit on a street to not less than
29 fifteen (15) miles per hour if the following conditions exist:

30 (1) The street is located within a park or playground established
31 under IC 36-10.

32 (2) The:

33 (A) board established under IC 36-10-3;

34 (B) board established under IC 36-10-4; or

35 (C) park authority established under IC 36-10-5;

36 requests the local authority to decrease the limit.

37 (3) The speed zone is properly signed.

38 **(f) If a local authority establishes a speed limit under this section**
39 **that is imposed in the immediate vicinity of a school when children**
40 **are present, the speed limit may be in effect only:**

41 **(1) from one (1) hour before the school day begins at the**
42 **school until one (1) hour after the school day begins at the**

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- 1 school; and
- 2 (2) from one (1) hour before the school day ends at the school
- 3 until one (1) hour after the school day ends at the school.

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